

IN THE HIGH COURT OF JUDICATURE AT PATNA

FA No.184 of 1993

SRI AJAY KUMAR KOCHAR

Versus

STATE OF BIHAR

with

FA No.185 of 1993

SRI ARBIND KUMAR KOCHAR

Versus

STATE OF BIHAR

with

FA No.189 of 1993

SRI RAM BABU @ RAM BABU

Versus

STATE OF BIHAR

with

FA No.190 of 1993

SRI VINAY KUMAR KOCHAR

Versus

STATE OF BIHAR

with

FA No.191 of 1993

SMT.PRABHA DEVI

Versus

STATE OF BIHAR

with

FA No.192 of 1993

SHRI NAGINA PRASAD & ORS

Versus

STATE OF BIHAR

with

FA No.193 of 1993

SRI SHAYAM BEHARI PRASAD

Versus

STATE OF BIHAR

with

FA No.195 of 1993

SRI OM NARAIN PRASAD

Versus

STATE OF BIHAR

with

FA No.196 of 1993

SRI NAGINA PRASAD



Versus
STATE OF BIHAR
with
FA No.197 of 1993
SHRI SATRUGHAN PRASAD MAHTO
Versus
STATE OF BIHAR

19 16/4/2010 rmdeshwar Jha, learned Additional Advocate General – VII, Mr. Anil Kumar Jha, learned Government Advocate – II, and Mr. Sanjay Kumar No.1, learned Government Pleader – XIV for the appellants and Mrs. Sheela Sharma, learned counsel for the respondents.

It is stated at the bar by learned counsel for the parties that the present batch of appeals is covered by the decision rendered in F.A. No.134 of 1994 and other connected matters, disposed of on 26.3.2010, wherein this court referring the decisions rendered in **Ahmedabad Municipal Corporation and others v. Shardaben and others**, (1996) 8 SCC 93, **Hokiyar Singh and others v. Special Land Acquisition Officer, Moradabad and another**, (1996) 3 SCC 766, **State of U.P. and others v. Ram Kumari Devi (Smt.) and others**, (1996) 8 SCC 577, **Gujarat Industrial Development Corporation v. Narrottambhai**

Morarbhai and another, (1996) 11 SCC 159, **G. Narayan v. Land Acquisition Officer**, (1996) 10 SCC 607, **Kanwar Singh and others v. Union of India**, (1998) 8 SCC 136, **Hasan Ali Walimchan (dead) by LRs v. State of Maharashtra**, (1998) 2 SCC 388, **Land Acquisition Officer Revenue Divisional Officer, Chitor v. L.Kamalamma (Smt.) dead by LRs. And others K.Krishnamachari and others** (1998) 2 SCC 385, **Kasturi and others v. State of Haryana**, (2003) 1 SCC 354, **Ahad Brothers v. State of M.P. and another**, (2005) 1 SCC 545, **Shardamma v. Special Land Acquisition Officer and another**, 2007 AIR SCW 1109 and **Land Acquisition Officer A.P. v. Kamandana Ramakrishna Rao and another**, 2007 AIR 1745, has held that the learned reference judge has taken into consideration the totality of the facts and circumstances of the case and applying the doctrine of average has rightly fixed the amount of Rs.21,000/- per kattha, that is, Rs.6,72,000/- pr acre. Hence, there is no error in the said determination.

In view of aforesaid, the present

batch of appeals are disposed of on the terms of the decision in FA. No.134 of 1994 and other connected matters.

In the result, the appeals filed by the State as well as the cross-objections are dismissed without any order as to costs.

(Dipak Misra, CJ.)

Neyaz/

